

May 21, 2025

EDWARD J. EMMONS, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA



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Archbishop of San Francisco

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re:

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO,

Debtor and
Debtor in Possession.

Case No. 23-30564

Chapter 11

**ORDER APPROVING SECOND
STIPULATION CLARIFYING
LANGUAGE IN STIPULATED
PROTECTIVE ORDER ENTERED
DECEMBER 18, 2023 (DKT. NO. 374)**

Hon. Dennis Montali

The Court having considered the *Second Stipulation Clarifying Language in Stipulated Protective Order (Dkt. No. 374)* (the "Stipulation") filed with the Court on May 16, 2025, as ECF No. [1187],

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IT IS HEREBY ORDERED THAT:

- 1. The Stipulation, a copy of which is appended hereto as Exhibit 1, is approved and entered as an order of this Court.
- 2. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

** END OF ORDER **

1 **Exhibit 1**

2 **Stipulation Clarifying Language in Stipulated Protective Order**
3 **Entered December 18, 2023**

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5 This stipulation (the “Stipulation”) clarifying and amending language in the *Stipulated*
6 *Protective Order* [Dkt. No. 374] (the “Standing Protective Order”) is entered into by and among
7 The Roman Catholic Archbishop of San Francisco (the “RCASF” or the “Debtor”), the Archdiocese
8 of San Francisco Parish, School and Cemetery Juridic Persons Capital Assets Support Corporation
9 (“CASC”), Sacred Heart Cathedral Preparatory (“SHCP”), Junipero Serra High School (“J. Serra”),
10 Archbishop Riordan High School (“Riordan”), Marin Catholic High School (“Marin Catholic”), St.
11 Patrick’s Seminary and University (“STPSU”), the Official Committee of Unsecured Creditors (the
12 “Committee”), and Berkeley Research Group, LLC (“BRG”), and collectively with the Debtor,
13 CASC, SHCP, J. Serra, Riordan, Marin Catholic, and STPSU, the “Parties,” and individually, each,
14 a “Party”), who state as follows:

15 **WHEREAS:**

16 A. The Committee has requested a copy of the complete SQL backup file (.BAK) from
17 the SQL Server for the Serenic accounting system, which is the Debtor’s legacy, non-operational
18 Serenic accounting system database and related data (the “Legacy Database”), and was previously
19 used by the Debtor and certain non-debtor entities for whom the Debtor acted as IT administrator;

20 B. The Legacy Database is a static, historical copy created when the Debtor and certain
21 non-debtors transitioned to a new system, and contains commingled data from both the Debtor and
22 non-debtor entities;

23 C. The Legacy Database is currently only accessible to the Debtor, and the Debtor no
24 longer maintains active licenses for the Serenic system; and

25 D. The Parties desire that the Court enter an order amending the Standing Protective
26 Order, in the form submitted herewith as Exhibit 1, to incorporate the terms and conditions of this
27 Stipulation.

28 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:**

1 1. **Limited Production:** The Debtor shall provide BRG only, the Committee's financial
2 advisor, with a backup copy (.bak) of the Legacy Database in its current form, subject to the
3 conditions set forth herein.

4 2. **License Compliance and Technical Requirements:** (a) BRG shall be solely
5 responsible for obtaining and maintaining any necessary software licenses, access rights, or other
6 technical requirements (the "Licenses") needed to access, view, or otherwise utilize the Legacy
7 Database; (b) the Debtor makes no representations regarding the accessibility, functionality, or
8 technical requirements of the Legacy Database; and (c) the Parties shall not object to the fees or
9 expenses that BRG or Committee counsel incur in order to obtain and maintain any such Licenses
10 and to access the Legacy Database

11 3. **Scope and Use Restrictions:** (a) the Legacy Database shall be produced on a "BRG
12 Eyes Only" basis and may only be accessed by BRG personnel (including any independent
13 contractors); and (b) any analysis, reports, or summaries created or derived from the Legacy
14 Database must be designated as "Confidential" under the Standing Protective Order as clarified by
15 this Stipulation. Notwithstanding the foregoing, (a) the Committee and its counsel may view and
16 discuss with BRG any analyses, reports, or summaries (the "Analyses") that BRG creates from
17 information obtained from the Legacy Database; (b) BRG shall not extract or use any personally
18 identifiable information ("PII"), including but not limited to PII such as the name of any donor, and
19 to the extent such PII is inadvertently included in any Analyses, BRG shall redact it from the
20 Analyses it shares with the Committee or Committee counsel; and (c) the Committee, through BRG
21 or otherwise, shall only extract and use financial information subject to the terms and conditions of
22 the Standing Protective Order.

23 4. **No Waiver:** (a) the production of the Legacy Database shall not constitute a waiver
24 of any applicable privilege, protection, or right, including but not limited to attorney-client privilege,
25 work product protection, or third-party rights; (b) this non-waiver provision applies to any
26 information contained within the Legacy Database, whether or not such information can be
27 segregated or identified at the time of production; (c) the protection extends to any metadata,
28 structure, or other technical aspects of the Legacy Database; (d) no privilege log or other

1 identification of protected information within the Legacy Database shall be required; and (e) the
2 non-waiver protection shall survive any termination of this Stipulation or the Standing Protective
3 Order.

4 5. **Third-Party Rights:** (a) nothing in this Stipulation shall affect the rights of any non-
5 debtor entity that is not a Party to this Stipulation but whose data may be contained within the
6 Legacy Database; (b) BRG shall treat all non-debtor data with the same level of confidentiality as
7 Debtor's data; and (c) BRG shall not contact any donors to any of the Parties without the consent of
8 the relevant Party.

9 6. **Standing Protective Order:** Except as expressly modified herein, all provisions of
10 the Standing Protective Order entered on December 18, 2023 [Dkt. No. 374] remain in full force
11 and effect.

12 Dated: May 16, 2025

FELDERSTEIN FITZGERALD WILLOUGHBY
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14 By /s/ Paul J. Pascuzzi
15 PAUL J. PASCUZZI
16 JASON E. RIOS
THOMAS R. PHINNEY

17 Attorneys for The Roman Catholic
18 Archbishop of San Francisco

19 Dated: May 16, 2025

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24 Archbishop of San Francisco
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1 Dated: May 14, 2025

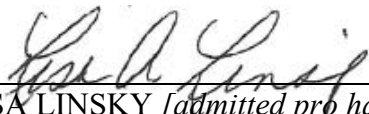
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4 CHRISTOPHER D. JOHNSON [admitted pro hac
5 vice]

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7 School and Cemetery Juridic Persons Capital Assets
8 Support Corporation

9 Dated: May 12, 2025

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10 By 
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12 DARREN AZMAN [admitted pro hac vice]

13 Attorneys for Sacred Heart Cathedral Preparatory

14 Dated: May 12, 2025

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15 By /s/ Robert G. Harris
16 ROBERT G. HARRIS

17 Attorneys for Junipero Serra High School, Archbishop
18 Riordan High School, and Marin Catholic High School

19 Dated: May 6, 2025

NIESAR & VESTAL LLP

20 By /s/ Peter C. Califano
21 PETER C. CALIFANO

22 Attorneys for The Roman Catholic Seminary of San
23 Francisco aka St. Patrick's Seminary & University

1 Dated: May 6, 2025

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By /s/ Gillian N. Brown

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JAMES I. STANG

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BRITTANY M. MICHAEL

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Attorneys for the Official Committee of Unsecured
Creditors

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7 Dated: May 7, 2025

BERKELEY RESEARCH GROUP, LLC

8

By /s/ D. Ray Strong

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PAUL N. SHIELDS

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D. RAY STRONG

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MATTHEW K. BABCOCK

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Financial Advisor to the Official Committee of
Unsecured Creditors

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